

**Before the
Federal Communications Commission
Washington, DC 20054**

In the Matter of)	
)	
IP-Enabled Services)	WC Docket No. 04-36
)	
Implementation of Sections 255 and 251(a)(2))	WT Docket No. 96-198
of The Communications Act of 1934, as)	
Enacted by the Telecommunications Act of)	
1996: Access to Telecommunications Service,)	
Telecommunications Equipment and)	
Customer Premises Equipment by Persons)	
with Disabilities)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	
with Hearing and Speech Disabilities)	
)	
The Use of N11 Codes and Other Abbreviated)	CC Docket No. 92-105
Dialing Arrangements)	

PETITION FOR EXTENSION OF WAIVER

AT&T Inc. (“AT&T”), on behalf of its telephone companies, files this Petition for Extension of Waiver from the requirements of Commission Rule 64.604(a)(4) to the extent it requires traditional telecommunications relay service (“TRS”) providers to automatically and immediately transfer 711-dialed emergency calls that originate on interconnected voice over internet protocol (“VoIP”) networks to an appropriate Public Safety Answering Point (“PSAP”).

Discussion

On April 1, 2009, the Commission extended until June 29, 2009 the waiver granted to traditional TRS providers of their obligation to automatically and immediately route emergency 711-dialed calls received from an interconnected VoIP service provider to an appropriate PSAP.¹

¹ IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications

The Commission based its decision on the continued significant operational and technical challenges encountered by traditional TRS providers in reliably identifying the physical location of a VoIP caller making a 711 emergency call.²

Simultaneously, the Commission also issued a Public Notice, seeking comments on the specific challenges that prevent TRS providers from reliably identifying a VoIP caller's location. AT&T's Comments submitted in response to the Public Notice explained that TRS providers' inability to reliably identify the location of a VoIP caller is a direct result of two factors: the unreliability of the telephone number as an indicator of geographic location³ and TRS providers' lack of access to registered location information.⁴ AT&T's Comments further explained the operational and technical difficulties of reliably identifying a 711 call as a VoIP originated call and of accessing the numerous registered location databases for all VoIP callers.⁵ Lastly, AT&T recommended that the Commission grant an indefinite waiver of Commission Rule 64.604(a)(4) in this respect due to the minimal number of calls that will be affected.⁶

The current waiver of Commission Rule 64.604(a)(4) expires on June 29, 2009. Yet, traditional TRS providers still cannot determine the appropriate PSAP to route a VoIP originated 711 emergency call due to the inaccessibility of registered location information.⁷ Moreover, the

Equipment and Customer Premises Equipment by Persons with Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities; The Use of N11 Codes and Other Abbreviated Dialing Arrangements, WC Docket No. 04-36, WT Docket No. 96-198, CG Docket No. 03-123 & CC Docket No. 92-105, Order, 74 Fed. Reg. 20892 (rel. Apr. 1, 2009) (the "90-day Waiver Order).

² Id. at ¶11.

³ For VoIP callers, the telephone number is an unreliable indicator of the caller's geographic location because VoIP providers have assigned "non-geographically relevant" telephone numbers or offered "nomadic" VoIP services.

⁴ AT&T, Inc. Comments, p. 2 (filed May 28, 2009).

⁵ Id. at pp. 5-9.

⁶ Id. at pp. 9-11. *See also* Comments of Sprint Nextel Corporation (filed May 28, 2009).

⁷ The Commission may waive a rule for good cause. 47 C.F.R. §1.3.

Commission is currently considering comments received in response to the Public Notice regarding the frequency with which VoIP users dial 711 in an emergency, the challenges of identifying the location of a VoIP caller, and the financial and practical costs of overcoming those challenges. Based upon the information submitted in those comments, AT&T respectfully petitions the Commission to indefinitely waive the requirement in Rule 64.604(a)(4) that traditional TRS providers route VoIP originated emergency calls via 711 to the appropriate PSAP. In the alternative, AT&T requests an extension of the current waiver of this requirement until after the Commission considers and rules on the issues presented in the comments filed in response to the Public Notice.

For the foregoing reasons, Petitioners respectfully request that the Commission consider AT&T's Petition.

Respectfully submitted,



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